

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA

FILED

DEC 13 2011

U.S. DISTRICT COURT  
ELKINS WV 26241

UNITED STATES OF AMERICA,

Plaintiff,

v.

PHILLIP JAMES HAMILTON, JR., and  
STEVEN KLOH,

Defendants.

Criminal No. 5:11cr60

Violations: 18 U.S.C. § 2  
21 U.S.C. § 812  
21 U.S.C. § 813  
21 U.S.C. § 841(a)(1)  
21 U.S.C. § 841(b)(1)(C)  
21 U.S.C. § 846

**INDICTMENT**

The Grand Jury charges:

**COUNT ONE**

(Conspiracy to Possess with Intent to Distribute a Controlled Substance Analogue)

From in or about a date unknown but early September, 2011, to on or about September 6, 2011, at or near Wick, Tyler County, West Virginia, within the Northern Judicial District of West Virginia, and elsewhere, defendants **PHILLIP JAMES HAMILTON, JR.** and **STEVEN KLOH** did knowingly and willfully combine, conspire, confederate and agree and have a tacit understanding with other persons known and unknown to the Grand Jury, to commit an offense against the United States, to wit: to violate Title 21, United States Code, Section 841(a)(1). It was a purpose and object of the conspiracy knowingly, and intentionally to possess with intent to distribute and to distribute Methylenedioxypyrovalerone hydrochloride aka "MDPV" and N-Methyl-N-ethylcathinone aka "4-MEC", both also known as "bath salts", both Schedule I controlled substance analogues as defined in 21 U.S.C. § 802(32), knowing the substance was intended for human consumption as provided in 21 U.S.C. § 813, in violation of Title 21, United States Code, Sections 813, 846 and 841(b)(1)(C).

**COUNT TWO**

(Distribution of a Controlled Substance Analogue)

On or about September 6, 2011, at or near Wick, Tyler County, West Virginia, within the Northern Judicial District of West Virginia, defendant **PHILLIP JAMES HAMILTON, JR.** did unlawfully, knowingly, intentionally and without authority distribute a quantity of Methylenedioxypyrovalerone hydrochloride aka "MDPV", a Schedule I controlled substance analogue which was intended for human consumption, as defined in 21 U.S.C. § 802(32), to a person known to the Grand Jury, in exchange for \$200 in United States currency, in violation of Title 21, United States Code, Sections 812, 813, 841(a)(1) and 841(b)(1)(C).

**COUNT THREE**

(Aiding and Abetting the Possession with Intent to Distribute a Controlled Substance Analogue)

On or about September 6, 2011, at or near Wick, Tyler County, West Virginia, within the Northern Judicial District of West Virginia, defendants **PHILLIP JAMES HAMILTON, JR.** and **STEVEN KLOH**, aided and abetted by each other, did unlawfully, knowingly, intentionally and without authority possess with intent to distribute a quantity of Methylendioxypropylone hydrochloride aka "MDPV" and N-Methyl-N-ethylcathinone aka "4-MEC", both also known as "bath salts", both Schedule I controlled substance analogues, which was intended for human consumption, as defined in 21 U.S.C. § 802(32), in violation of Title 21, United States Code, Sections 813, 841(a)(1), and 841(b)(1)(C), and Title 18, United States Code, Section 2.

A True Bill,

/s/ \_\_\_\_\_  
Grand Jury Foreperson  
(Signature on File)

/s/ John C. Parr For  
WILLIAM J. IHLENFELD, II  
UNITED STATES ATTORNEY